

Application No. 09/275,911  
Attorney Docket: 42390.P7033

### **REMARKS**

The above-referenced patent application has been reviewed in light of the Office Action of March 31, 2003. Reconsideration of the above-referenced patent application in view of the amendments and remarks is respectfully requested.

Claims 1, 3-7, 11-14, 16-21, 25-26, 28, 29, 32, 34 and 35 are pending in the above-referenced application. Claims 1, 3, 4, 6, 11, 14, 16, 18, 20, 26, 28, 29, 32, 34 and 35 have been amended, claims 2, 8-10, 15, 22-24, 27, 30, 31 and 33 have been cancelled.

### **RESPONSE TO 35 U.S.C. §101 REJECTION**

The Examiner rejected claims 32-35 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claim 33 has been cancelled. The remaining claims have been amended to recite a scrambling "device." It is therefore respectfully requested that the Examiner withdraw his rejection as to these claims.

### **RESPONSE TO 35 U.S.C. §103 REJECTION**

The Examiner rejected claims 1, 2, 7, 12-16, 2-27 and 29-35 under 35 U.S.C. §103(a) as being unpatentable over Ibaraki (U.S. Patent No. 5,546,461) in view of Chapman (U.S. Patent No. 6,173,402). This rejection of these claims on this basis is traversed. In particular, Applicant respectfully disagrees with the Examiner's assertion that there would have been motivation to combine Chapman with Ibaraki et al. In particular, Chapman discloses an application that executes entirely on the user's computer. No where is there motivation to suggest that the technique should be integrated on the scrambling encryption end nor how it could be accomplished.

Furthermore, neither reference teaches or suggests "scrambling the blocks of the digital video signal responsive to a key of which a remote computer number and a video position number are components, the video position number representing positional information

including the block to be scrambled," as claimed in the independent claims. In particular, as noted on page 6, lines 11-19 of the specification:

"Processing mechanism 38 receives a key and provides a processed key (PK) to scrambling mechanism 34. Scrambling mechanism 34 performs a bit scrambling technique to produce a bit scrambled video signal (SV). Examples of bit scrambling techniques are described below. The bit scrambled video signal is a function of at least the video signal and the processed key. In some embodiments, a video position signal is used in scrambling mechanism 34 (e.g., see FIGS. 11 and 12). The bit scrambled video signal may be received by a transmitting mechanism 36 for transmitting to remote receiving computer 18. The bit scrambling video signal may be held in a buffer or other memory and perhaps otherwise processed in scrambling computer 30 and/or link 20."

Furthermore, as noted on page 7, lines 3-14:

"As another example, referring to FIG. 6, a processing mechanism 80 is another example of processing mechanism 38 and/or 48. A position determining mechanism 82 receives the digital video signal (V) and produces a video position number signal. The video position number signal is indicative of the block being scrambled or descrambled. For example, the video position number could be a number representing the block or the first byte in the block. The key includes a password, a remote computer number, and the video position number signal, which are concatenated in concatenation mechanism 84 and hashed in hash mechanism 86, which produces PK. Processing mechanism 80 could have included a PRNG. Similarly, processing mechanism 60 may alternatively not include PRNG 68. Processing mechanisms 38 and 48 may include other details. Processing mechanisms 38 and 48 might merely concatenate components or otherwise process the key to produce the PK. The PK may be held in a buffer (not illustrated) and supplied to scrambling or descrambling mechanisms 34 or 44 from the buffer."

None of the references, including Ibaraki, Chapman, Faria, Schneier, either alone or in combination teaches the claimed limitations. There is additionally no motivation to combine these references.

### **CONCLUSION**

In view of the foregoing, it is respectfully asserted that all of the claims pending in this patent application are in condition for allowance.

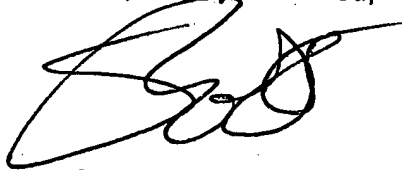
Claims 1, 3-7, 11-14, 16-21, 25-26, 28, 29, 32, 34 and 35 remain in the application. No additional fees are required for claims.

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The required fee for a two month extension of time is enclosed. Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner has any questions, he is invited to contact the undersigned at (310) 252-7605. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Respectfully submitted,



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Dated: August 1, 2003

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